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January 2, 2020

VIA ELECTRONIC FILING

The Honorable Jocelyn Boyd
Chief Clerk / Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210

RE: South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Duke Energy Carolinas, LLC's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) - S.C. Code Ann. Section 58-41-20(A)

Docket No. 2019-185-E (Duke Energy Carolinas, LLC)

Docket No. 2019-186-E (Duke Energy Progress, LLC)

Dear Ms. Boyd:

I am writing on behalf of Duke Energy Carolinas, LLC ("DEC") and Duke Energy Progress, LLC ("DEP") to respond to your email dated December 27, 2019 asking that any written responses regarding Commission Ervin's possible recusal be submitted by January 2, 2020 at noon. DEC and DEP have reviewed the issue pursuant to S.C. Code Ann. §58-3-260(F) which permits the disqualification of a Commissioner when it is necessary to eliminate the effect of an ex parte communication. DEC and DEP do not believe that disqualification is necessary under §58-3-260(F).

Thank you for the opportunity to offer our views on this issue.

Yours truly,

Frank R. Ellerbe, III

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cc: Parties of Record (via email)
John Dalton, Power Advisory, LLC (via email)
Natanel Lev, Power Advisory, LLC (via email)
Carson Robers, Power Advisory, LLC (via email)
Heather Shirley Smith, Deputy General Counsel (via email)
Rebecca J. Dulin, Associate General Counsel (via email)